

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:)	
)	CHAPTER 11
DN REAL ESTATE SERVICES &)	
ACQUISITIONS, LLC)	
Debtor,)	CASE NO.: 17-55587-pmb

=====

MOTION TO RECONSIDER ORDER CONVERTING CASE TO CHAPTER 7

Comes now, DN REAL ESTATE SERVICES, LLC, Debtor in the above styled Chapter 11 case, by and through undersigned counsel, and files this Motion to Reconsider Order Converting Case to Chapter 7 showing to this Honorable Court the following:

1. This Motion to Reconsider (this “Motion”) pursuant to Bankr. Rule 9023 which incorporates Fed. R.Civ.P. 59, and under Bankr. Local Rule 9023-1.

2. On May 31, 2018, this Court entered is Order Converting Case to Chapter 7 (the “Order”) (Doc. No. 118). The grounds for the Order were the late payment of quarterly fees to the United State Trustee, which fees were the subject of a Consent Order dated May 9, 2018 (Doc. No. 111). Debtor does not dispute that its payments were received after the May 21 deadline, but confirms that all payments were paid by May 25, 2018.

3. The grounds for this Motion are that the Debtor’s business affairs are already wound up, and all that remains in the Chapter 11 case is the disbursement of the funds held in the Debtor in Possession Account. Conversion will unnecessarily complicate, delay, and dilute the disbursement process to creditors.

4. Debtor has filed a Disclosure Statement (Doc. No. 120) and Chapter 11 Plan of Liquidation (Doc. No. 119), on the same date as the Order. Upon confirmation of this Plan, the disbursement of funds will conclude and the case can be closed. The appointment and actions of a new Chapter 7 Trustee would be unnecessary and wasteful of funds that could otherwise be directed to the creditors.

WHEREFORE, Debtor requests that the Court:

- (1) hear and grant this Motion; and
- (2) suspend the deadlines and actions by all parties otherwise pending in the Order upon resolution of the Motion;
- (3) grant any other relief that the Court deems just and appropriate.

Dated this 8th day of June, 2018

Respectfully Submitted,

_____/s/_____
Howard Slomka
GA Bar # 652875
Slipakoff & Slomka, P.C.
Attorney for Debtor
2859 Paces Ferry Road, Suite 1700
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ACQUISITIONS, LLC)	
Debtor,)	CASE NO.: 17-55587-pmb
)	

CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the within and foregoing Motion for Reconsideration in the above styled case by depositing same in the United States mail with the adequate postage affixed thereto to insure delivery addressed as follows:

SEE ATTACHED LIST FOR CREDITORS

Dated this 8th day of June, 2018

_____/s/_____
Howard Slomka
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Label Matrix for local noticing
113E-1
Case 17-55587-pmb
Northern District of Georgia
Atlanta
Tue Nov 7 11:24:08 EST 2017
EB&T
PO Box 580340
Charlotte, NC 28258-0340

American Express
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Newark, NJ 07101-1270

American Express Bank, FSB
c/o Becket and Lee LLP
PO Box 3001
Malvern PA 19355-0701

(p)BB AND T
PO BOX 1847
WILSON NC 27894-1847

(p)BANK OF AMERICA
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B4 Solutions Group, Inc.
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The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

EB&T Bankruptcy
M/C 100-50-01-51
P.O. Box 1847
Wilson, NC 27894-1847

Bank of America
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El Paso, TX 79998

Fifth Third Bank
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Cincinnati, OH 45263

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Brendan Hill

(d)Heather D. Brown
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Roswell, GA 30075-4420

(u)Keller Williams Realty Buckhead

(u)Lending Home Funding Corp.,

(u)LendingHome Funding Corp.,

(u)Lindsey McMullen
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End of label Matrix
Mailable recipients 35
Bypassed recipients 6
Total 41